

**Fire Safety Code Board
Of Appeal and Review
Hearing Minutes for January 13, 2009**

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, January 13, 2009 2008 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Dias, Pearson, Walker, Jasparro, Preiss and Richard. Commissioners Filippi, Jackson and Blackburn were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #070306: Mr. William H. Connerton, for the property located at 23 Old Beach Road, Newport. ADSFM Wayne Clark and ADSFM Kevin Garcia appeared for the Newport Fire Marshal's Office. The Applicant testified that he would comply with deficiencies 1, 2, 3, 4, 5, 6, 7, 12, 13 and 14 of the May 7, 2007 report. Items 9 and 11 were not applicable. Commissioner Pearson made a motion, seconded by Commissioner Walker, to grant the Applicant the ability to maintain the cited doors provided that a flame retardant is applied to both sides of the doors. The motion was unanimous.

APPEAL #070339: Mr. William Connerton, for the property located at 53 Water Street, New Shoreham. DSFM Dennis McGarty appeared for the State Fire Marshal's Office. Commissioner Dias made a motion,

seconded by Vice Chairman Newbrook, to accept the Applicant's plan of action for the stair enclosure, as outlined in the December 24, 2008 report from Commonwealth Engineers & Consultants, Inc. The motion was unanimous.

APPEAL #070580: Mr. Michael A. Voccola, for the property located at 103-111 Bellevue Avenue, Newport. ADSFM Wayne Clark and ADSFM Kevin Garcia appeared for the Newport Fire Marshal's office. Commissioner Walker made a motion, seconded by Vice Chairman Newbrook and Commissioner Jasparro, to grant the following relief. The Applicant is granted one week in which to schedule a re-inspection of this facility by the Newport Fire Marshal's Office. The Applicant is granted thirty days in which to prepare and have approved plans for the fire alarm of this facility and an additional 120 days to complete the installation. The Applicant is further granted thirty days in which to correct any remaining deficiencies outlined in the Newport Fire Marshal's October 15, 2007 inspection report. The motion was unanimous.

APPEAL #050889: Administrator Craig Pianka, for the property located at 51 Laurel avenue, Coventry. DSFM David Cionfolo appeared for the State Fire Marshal's office. Commissioner Richard made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a time variance of sixty days for the transition to an F2 facility, and grants the State Fire Marshal's Office the authority to extend that time for good faith efforts being made by the Applicant.

The motion was unanimous.

APPEAL #080267: Mr. David DeAngelis, for the property located at 425 East Main Road in Middletown. ADSFM John Pinto and Thomas Karpovitz appeared for the Middletown Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Richard, to leave this file open for thirty days while the State Fire Marshal's office re-inspects this facility. The Applicant may reappear before the Board if necessary. The motion was unanimous.

APPEAL #080367: Frank Karpowicz Architects, for the property located at 27 North Road, South Kingstown. ADSFM Christopher Heiner appeared for the Union Fire District Fire Marshal's office. Commissioner Preiss recused himself from consideration of this case. Vice Chairman Newbrook made a motion, seconded by Commissioner Richard, to approved the Applicant's requests for variance. The motion was unanimous.

APPEAL #050359, 060904, 070304: Providence Biltmore Hotel, for the property located at 11 Dorrance Street, Providence. ADSFM Richard Vespia appeared for the Providence Fire Marshal's office. Commissioner Walker made a motion, seconded by Vice Chairman Newbrook, to reaffirm the Applicant's previous requests, first, to utilize the provisions of the 2007 edition of NFPA 72 as it relates to smoke detector spacing in corridors, and secondly, for relief to eliminate the required manual fire alarm box from the main entrance,

relocating it to the front desk area. The Applicant is additionally granted the ability to utilize the provisions of the 2007 edition of NFPA 72 as it relates to survivability to communications circuits in a sprinklered building. The motion was unanimous, noting the objection of the Providence Fire Marshal to the third item of relief.

APPEAL #090009, 090010, 090011, 090012: Brown University, for the property located at 1-21 Prospect Street in Providence. ADSFM Frank Mills, Richard Silva and Timothy Lutz appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Jasparro, to grant the following relief. The Applicant is allowed to modify the fire watch requirements to allow the watch to be performed by Brown University's Public Safety Staff, provided the dormitories are not occupied. The Applicant is allowed to occupy the cited buildings, however a twenty-four hour fire watch must be in place for occupancy to be allowed. The motion was unanimous.

APPEAL #080347: Blu, for the property located at 525 South Water Street, Providence. ADSFM Richard Fournier appeared for the Providence Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioners Walker and Dias, to approve the Applicant's plan of action for this facility, which would include, but is not limited to, reducing the occupancy of the second floor to 49 persons, upgrading the fire alarm panel and establishing a municipal connection, and enclosing the stairway and providing a fire door, at

the direction and to the satisfaction of the Providence Fire Marshal's office. The motion passed over the opposition vote of Commissioner Preiss.

APPEAL #080046A: PCRL Realty Co., for the property located at 93-95 Clemence Street, Providence. Commissioner Dias made a motion, seconded by Vice Chairman Newbrook and Commissioner Richard, to allow the Applicant not to install a their fire exit due to the inability of the Applicant to obtain an easement from the abutting property owner. The motion was unanimous.

APPEAL #090002: Mr. Henry Kinch, for the property located at 705 Elmwood Avenue, Providence. DSFM Wade Palazini and ADSFM Richard Silva appeared for the State and Providence Fire Marshal's offices. Commissioner Pearson made a motion, seconded by Commissioners Dias and Richard, to grant the Applicant's requested relief from the provisions of NFPA 30A section 7.3.6.5. The file is to remain open until the Board receives a letter requesting the fee waiver from the Director of the Department of Administration. The motion was unanimous.

Under matters of correspondence, the Board voted to approve a request from the Providence Fire Marshal's office for a time extension for work to be done at the Moses Brown School.

Respectfully submitted,

Carol Marsella

Deputy Director